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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF WASHINGTON

THOMAS A. WAITE,

Plaintiff,

THE CHURCH OF JESUS CHRIST OF  
LATTER DAY SAINTS d/b/a  
CORPORATION OF THE PRESIDING  
BISHOP OF THE CHURCH OF JESUS  
CHRIST OF LATTER DAY SAINTS, a  
Utah corporation, d/b/a  
CORPORATION OF THE PRESIDENT  
OF THE CHURCH OF JESUS CHRIST  
OF LATTER DAY SAINTS, a Utah  
corporation; DONALD C. FOSSUM;  
and STEVEN D. BRODHEAD,

No. CV-05-399-EFS

**PLAINTIFF'S SECOND  
SUPPLEMENTAL  
IDENTIFICATION OF EXPERT  
WITNESSES AND DISCLOSURE  
OF EXPERTS' PRELIMINARY  
REPORTS**

### Defendants.

Plaintiff, by and through his undersigned attorneys, hereby supplements his original and first supplemental expert witness disclosure as follows:

1. Anthony J. Choppa, M.Ed., C.R.C.  
Vocational Rehabilitation Counselor  
OSC Vocational Systems, Inc.  
10132 NE 185<sup>th</sup>  
Bothell, WA 98011

# EYMAN ALLISON HUNTER JONES P.S.

**PLAINTIFF'S SECOND SUPPLEMENTAL  
IDENTIFICATION OF EXPERT WITNESSES...-1**  
(Plaintiff's 2nd supp Identification of Expert Witnesses.wpd)

2208 WEST SECOND AVENUE • SPOKANE, WA 99201-5417  
TELEPHONE: (509) 747-0101 • FAX: (509) 458-5977

1 Susan Skinner, M.D.'s executed letter with her initialed Life Care Plan  
2 as prepared by Mr. Choppa are attached as Exhibit "A."

3 Plaintiff reserves the right to further supplement his disclosures as discovery is  
4 ongoing.

5 DATED this 3rd day of January, 2007.

6 EYmann Allison Hunter Jones, P.S.

7 BY s/ Richard C. Eymann  
8 RICHARD C. EYmann, WSBA #7470  
9 Co-counsel for Plaintiff

10 NORDSTROM & NEES, P.S.

11 BY Telephonically approved 1/3/07  
12 STEPHEN L. NORDSTROM, WSBA #11267  
13 Co-counsel for Plaintiff

14 EYmann Allison Hunter Jones P.S.  
15

## CERTIFICATE OF SERVICE

I, RICHARD C. EYMANN, hereby certify that on the 3rd day of January, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following participants:

Brian T. Rekofke  
Witherspoon Kelley Davenport & Toole  
1100 U.S. Bank Building  
422 W. Riverside Avenue  
Spokane, WA 99201

Andrew C. Smythe  
Paine Hamblen Coffin Brooke & Miller  
717 W. Sprague Avenue, Suite 1200  
Spokane, WA 99201

s/Richard C. Eymann  
**RICHARD C. EYMAN**

# EYmann Allison Hunter Jones P.S.

# Exhibit “A”



November 13, 2006

*OSCAR VOCATIONAL  
SYSTEMS, INC.*

Susan Skinner, M.D.  
411 N. Lakeview Ave.  
Anaheim, CA 92807

Re: Thomas Waite

DOI: 08/21/03

Dear Dr. Skinner:

Thank you for speaking with us regarding Thomas Waite's current and future needs. To ensure we have accurately understood your medical and rehabilitation recommendations, please review the enclosed Preliminary Care Plan to ensure it reflects what is necessary and appropriate for treatment of his traumatic brain injury.

Upon your review, please provide your concurrence and/or comment on the format provided below as to whether the Care Plan, on a more probable than not basis, reflects your recommendations for Thomas.

\_\_\_\_\_ The medical and rehabilitation recommendations contained in the Care Plan are necessary and appropriate for Thomas Waite.

Comments: *I agree with those parts of plan assigned to my name,  
although I suspect your cost assessments of labs are  
high.*

Susan Skinner, M.D.

Date

Main Office (Bothell) • 10132 N.E. 185<sup>th</sup>  
Bothell, WA 98011 • (425) 486-4040  
Fax: (425) 486-8701

Mt. Vernon Office • 1419 E. College Way  
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Olympia, WA 98506 • (360) 352-5078  
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Edmonds, WA 98026 • (425) 672-9600  
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Burien, WA 98166 • (206) 243-1300  
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Kingston, WA 98346 • (360) 297-0531  
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Moses Lake Office • 406 W. Broadway, Suite G  
Moses Lake, WA 98837 • (509) 766-0379  
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Bellingham Office • 114 W. Magnolia St., Suite 303  
Bellingham, WA 98225 • (360) 734-9163  
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Tacoma Office • 917 Pacific Ave #308  
Tacoma, WA 98402 • (253) 779-5485  
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Spokane Office • 1814 N. Normandie  
Spokane, WA 99205 • (509) 325-7766  
Fax: (509) 325-7666

Thomas Waite  
November 13, 2006  
Page 2

Please return the signature page with your signature via facsimile at 425-486-8701 or in the enclosed self-addressed, stamped envelope. Thank you for your assistance.

Sincerely,



Anthony J. Choppa, M.Ed., CRC, CCM  
Rehabilitation Counselor/Case Manager

Enclosures: Preliminary Care Plan  
Self-addressed envelope

cc: Richard Eymann  
Thomas Waite c/o Richard Eymann

**PRELIMINARY**

**CARE PLAN**

**FOR**

**THOMAS WAITE**

**CURRENT AGE TO LIFE EXPECTANCY**

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**NOVEMBER 2006**

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Anthony J. Choppa, M.Ed., C.R.C., C.C.M.  
OSC Vocational Systems, Inc.  
10132 NE 185<sup>th</sup> St.  
Bothell, WA 98011

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**VOCATIONAL SYSTEMS, INC.**

**PRELIMINARY CARE PLAN**  
**NAME: THOMAS WAITE**

DOI: 8/21/03

ITEM	PURPOSE	PROVIDER	AGE/INITIATED AGE/SUSPENDED	REPLACEMENT RATE	BASE COST
Neurological Evaluation, Monitoring and Treatment	Monitor neurological sequelae including cognitive deficits and seizure status. Management of pharmacologic intervention.	Susan Skinner, M.D. or local provider  <i>[Signature]</i>	Current Age to Life Expectancy	Office visit in approximately 6 months, then average yearly	\$144.00 - \$202.00 per visit
Neuropsychological Re-evaluations	Ongoing monitoring of cognitive and emotional status, provide recommendations to address treatment options and/or appropriate accommodations with regard to educational/vocational pursuits and other challenges.	William Burkhardt, Ph.D. or local provider	Current Age to Life Expectancy	Average every 3 - 5 years	\$1,750.00 per evaluation

**PROJECTED EVALUATIONS**



**PRELIMINARY CARE PLAN**  
NAME: THOMAS WAITE

DOI: 8/21/03

ITEM	PURPOSE	PROVIDER	AGE/INITIATED AGE/SUSPENDED	REPLACEMENT RATE	BASE COST
Psychotherapy (Individual)	Address cognitive behavioral intervention for symptoms of depression and anxiety, and assist with attention, concentration and ability to focus.	Barry Moss, Ph.D., Lauren Schwartz, Ph.D., or local provider	Current Age to Life Expectancy	Average 2 times per week for 18 months Then 1 time per week for 3 – 5 years Then 6 – 12 times per year to Life Expectancy	\$135.00 - \$150.00 per session
Cognitive Remediation Evaluation, Monitoring and Treatment	Periodic consultation with a Speech Language Pathologist to assist Thomas with maintaining and updating his compensatory strategies during major life changes including job and relationship changes. Communication and coordination with Psychotherapist.	Rancho Los Amigos, Newport Language & Speech Center, or local provider	Current Age to Life Expectancy	3 – 6 sessions total	\$60.00 - \$120.00 per session

**PROJECTED THERAPEUTIC MODALITIES**

**VOCATIONAL SYSTEMS, INC.**

**PRELIMINARY CARE PLAN**  
**NAME: THOMAS WAITE**

DOI: 8/21/03

ITEM	PURPOSE	PROVIDER	AGE/INITIATED AGE/SUSPENDED	REPLACEMENT RATE	BASE COST
Dilantin Level	Monitor therapeutic medication levels and health status.	Lakeview Medical Offices, Anaheim, CA, or local provider	Current Age to Life Expectancy	In approximately 6 months, then average 1 time per year	\$121.00 each
Complete Blood Count (CBC)	Monitor for general health status.	Lakeview Medical Offices, Anaheim, CA, or local provider	Current Age to Life Expectancy	In approximately 6 months, then average 1 time per year	\$71.00 each
Alanine Aminotransferase (ALT)	Monitor liver function.	Lakeview Medical Offices, Anaheim, CA, or local provider	Current Age to Life Expectancy	In approximately 6 months, then average 1 time per year	\$49.00 each
Aspartate Aminotransferase (AST)	Monitor liver function.	Lakeview Medical Offices, Anaheim, CA, or local provider	Current Age to Life Expectancy	In approximately 6 months, then average 1 time per year	\$47.00 each
Venipuncture	Blood draw	Lakeview Medical Offices, Anaheim, CA, or local provider	Current Age to Life Expectancy	In approximately 6 months, then average 1 time per year	\$15.00 each
					<b>DIAGNOSTICS</b>

**VOCATIONAL SYSTEMS, INC.**

**PRELIMINARY CARE PLAN**  
NAME: THOMAS WAITE

DOI: 8/21/03

ITEM	PURPOSE	PROVIDER	AGE/INITIATED AGE/SUSPENDED	REPLACEMENT RATE	BASE COST
Dilantin* (400 mg) night	Manage and reduce risk of seizures.	Walgreens or local pharmacy	Current Age to Life Expectancy	Monthly	\$48.00
Celexa	Manage depression.	Walgreens or local pharmacy	Current Age to Life Expectancy	Monthly	Pending
<b>MEDICATIONS<sup>1</sup></b>					

<sup>1</sup> Reflects current use. Physician may choose to alter or change medication over time. Dr. Burkhardt recommends antidepressant medication such as Celexa be included.

**VOCATIONAL SYSTEMS, INC.**

**PRELIMINARY CARE PLAN**  
**NAME: THOMAS WAITE**

DOI: 8/21/03

ITEM	PURPOSE	PROVIDER	AGE/INITIATED AGE/SUSPENDED	REPLACEMENT RATE	BASE COST
Case Management	Coordinate medical and rehabilitation providers, identify appropriate providers, and access resources to assure cost effectiveness, quality of services and crisis intervention.	Local Certified Rehabilitation Counselor or Certified Case Manager	Current Age to Life Expectancy	Average 1 time per month (2 - 3 hours) for the first year upon completion of school ----- Then 1 time per quarter (2 - 3 hours) for life	\$115.00 - \$165.00 per hour

**HOME CARE/RESIDENTIAL CARE**

\* Services currently being provided by mother.



**PRELIMINARY CARE PLAN**  
NAME: THOMAS WAITE

DOI: 8/21/03

ITEM	PURPOSE	PROVIDER	AGE/INITIATED AGE/SUSPENDED	REPLACEMENT RATE	BASE COST
Tutoring	Specific one-on-one assistance with study skills due to continued memory and organizational impairment.	Fullerton College or local provider	Current Age for 2 - 3 years	Weekly (1 - 2 hours) (Professional intervention above and beyond peer tutoring)	\$60.00 per hour
Functional Vocational Assessment/Counseling	Provide informational input for curriculum planning and transition from school to post schoolwork. Provide and determine vocational skills, information regarding interests, time management, self-regulation on the job, and appropriate behavior.	Local Certified Rehabilitation Counselor	Current Age to Life Expectancy	Minimum 1 - 2 times (15 - 20 hours each)	\$130.00 - \$165.00 per hour

**EDUCATIONAL/VOCATIONAL NEEDS**